

Existing law provides that the Dept. of Health and Hospitals shall require inspection of all vehicles engaged in providing nonemergency, nonambulance Medicaid transportation.

Existing law further provides that the department may adopt rules to provide for the inspection of vehicles, standardization of vehicles, uniformity of documents, mandatory liability insurance, proof of ownership or lease of vehicles, identifying signs on vehicles, and other rules necessary for the administration and enforcement of inspections.

New law provides for civil fines against providers who violate any of the rules, requirements, or other applicable statutes while providing nonemergency, nonambulance transportation services to Medicaid recipients, in addition to applicable criminal penalties.

New law provides for a schedule of civil fines according to class of violation as follows:

- (1) Class A violations: Not more than \$250 for the first occurrence, and twice the original fine for each subsequent offense for the following:
  - (a) Failure to maintain insurance coverage.
  - (b) Use of an unauthorized vehicle.
  - (c) Operation by an unauthorized driver.
  - (d) Failure to report an accident to law enforcement authorities.
  - (e) Failure to seek medical treatment for an injured client.
  - (f) Physical, mental, verbal, or sexual abuse of a client.
  - (g) Operation of a vehicle in violation of Title 32 of the Louisiana Revised Statutes of 1950 when death or injury to a client results.
  - (h) Operation of a vehicle in violation of any rules promulgated pursuant to R.S. 46:450.2(B) when death or injury to a client results.
  - (i) Attempting to obtain a new client or maintain an existing client by offering illegal inducements.
- (2) Class B violations: not more than \$100 and twice the original fine for each subsequent offense for the following.
  - (a) Failure to report an accident to the Dept. of Health and Hospitals.
  - (b) Operation of a vehicle in violation of Title 32 when death or injury to a client does not result.
  - (c) Operation of a vehicle in violation of any of the rules promulgated pursuant to R.S. 46:450.2(B) when death or injury to a client does not result.
  - (d) Failure to provide the Dept. of Health and Hospitals with documentation of insurance coverage.

Effective August 15, 1999.

(Adds R.S. 46:450.2(C))